

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Alexander J. Feigl

Serial No.: 10/077,618

Filed: February 15, 2002

For: DEVICES AND METHODS FOR
POSITIONING SUTURES

Patent No.: 7,402,166

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CERTIFICATE OF ELECTRONIC TRANSMISSION

I certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web on the date below:

September 17, 2008
Date

/Mark T. Garrett/
Mark T. Garrett

LETTER OF GOOD FAITH AND CANDOR

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Determination of Patent Term Adjustment under 35 U.S.C. 154(b) included with the Issue Notification dated July 2, 2008 and the U.S. Patent cover sheet indicate a patent term adjustment of 123 days. Applicant requests the patent term adjustment be reduced by 66 days.

On June 10, 2004, the U.S. Patent Office mailed an Office Action. Applicant filed a Response on November 10, 2004, which was received by the U.S. Patent Office on November 15, 2004. Applicant notes that the PAIR entries do not indicate an Applicant delay of 66 days from September 10, 2004 (three months after date of Office Action) to November 15, 2004 (date of

receipt of Response). Therefore, Applicant believes the Patent Term Adjustment should be adjusted from 123 days to 57 days, a reduction of 66 days.

It is requested that, if the U.S. Patent Office is in agreement, the file be forwarded to the Certificate of Correction Branch for issuance of an appropriate Certificate of Correction.

It is believed that no fee is due with this communication, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/AFEI:002US.

Respectfully submitted,

/Mark T. Garrett/

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